

REMARKS/ARGUMENTS

Claim Rejections – 35 U.S.C. § 112

Claim 39 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Applicant has rewritten claim 39 to address the deficiencies identified by the Examiner and to closely adhere to the disclosure. Withdrawal of the rejection of claim 39 is therefore respectfully requested.

Claim Objections

Claims 39 and 40 are objected to because of informalities.

In claim 39, the term “said discovery list” should read “said local-discovery list”. Applicant has rewritten claim 39 as suggested by the Examiner to overcome the rejection under U.S.C. 112. The rewritten claim consistently uses the term “local-discovery list”.

In claim 40, phrase “said target start node” has been corrected to read “said start optical node”. The term “first sequence” has been replaced by the term “second sequence” as suggested by the Examiner. Withdrawal of the objection to claim 40 is therefore respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claims 30, 32, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carrick *et al.* (U.S. 7,016,607 B1) in view of Weik (*Fiber Optics Standard Dictionary*, 3rd ed.), and Rajagopalan *et al.* (“IP over optical networks: architectural aspects”).

The limitations of claim 30 have been added to amended claims 33, 34, 35, and 37. Claim 30 has been cancelled without prejudice or disclaimer. Claims 32 and 40 have been

amended to depend on claim 33 indicated by the Examiner to be allowable.

Claims 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carrick in view of Weik and Rajagopalan, and further in view of the admitted prior art.

Claim 31 has been amended to depend on claim 33 indicated by the Examiner to be allowable.

Allowable Subject Matter

Applicant thanks the Examiner for the indication that claims 33-38 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 33 depends directly on claim 30. Claim 33 has been rewritten in an independent form including all the limitations of claim 30.

Claim 34 depends directly on claim 30. Claim 34 has been rewritten in an independent form including all the limitations of claim 30.

Claim 35 depends directly on claim 30. Claim 35 has been rewritten in an independent form including all the limitations of claim 30.

Claim 36 depends on claim 35.

Claim 37 depends directly on claim 30. Claim 37 has been rewritten in an independent form including all the limitations of claim 30.

Claim 38 depends on claim 37.

SUMMARY

Claims 31-40 are pending. Claims 31, 32, 39, and 40 are amended to depend on claim 33 indicated by the Examiner to be allowable. Claims 30 has been cancelled.

No new subject matter has been added by way of the above amendments.

An advisory action is respectfully requested at the Examiner's earliest convenience.

In view of the foregoing, early favorable consideration of the application is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Victoria Donnelly', with a horizontal line drawn through the middle of the signature.

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